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JUL 14 2005

**HOWISON & ARNOTT, L.L.P.**  
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONSATTORNEYS AT LAW  
PATENT AND TRADEMARK MATTERS**Attorneys:**JOHN J. ARNOTT, P.C.  
DAVID C. CAIN, P.C.  
GREGORY M. HOWISON, P.C.  
BRIAN D. WALKERTwo LINCOLN CENTRE  
5420 LBJ Freeway, Suite 660  
Dallas, Texas 75240-2318  
Telephone (972) 479-0462  
Facsimile (972) 479-0464**Austin Office:**  
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YES \_\_\_ NO XNUMBER OF PAGES TO FOLLOW 22**FACSIMILE COVER SHEET**

**DATE:** July 14, 2005  
**TO:** Central Fax Filing/Fee Amendment (Douglas B. Blair 2142)  
**COMPANY:** USPTO  
**FAX NUMBER:** 703-872-9306  
**FROM:** Gregory M. Howison  
**OUR FILE:** PHL-24,767  
**SERIAL NO.:** 09/417,863  
**ATTACHED:** Transmittal (1); Fee Transmittal (1); Petition Extension (1);  
Amendment (18); Credit Card Form (1)

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**COMMENT:**

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

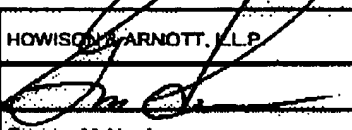
Total Number of Pages in This Submission

Application Number	09/417,863
Filing Date	10/13/1999
First Named Inventor	Philyaw et al.
Art Unit	2142
Examiner Name	Douglas B. Blair
Attorney Docket Number	PHLY-24,767

**ENCLOSURES (Check all that apply)**

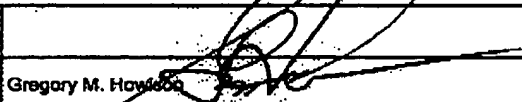
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Form (1).
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	HOWISON & ARNOTT, LLP		
Signature			
Printed name	Gregory M. Howison		
Date	7/14/05	Reg. No.	30,646

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gregory M. Howison	Date	7/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SENT BY: HOWISON, & ARNO;

972 479 0464

JUL-14-05 3:28 PM 2005 PAGE 3

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2005. OMB 0851-0032

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

**Complete if Known**

Application Number: 09/417,883  
Filing Date: October 13, 1999  
First Named Inventor: Philyaw et al.  
Examiner Name: Douglas B. Blair  
Art Unit: 2142  
Attorney Docket No.: PHLY-24,767

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 225.00

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 20-0780/PHLY-24,767 Deposit Account Name: HOWISON & ARNOTT, L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>		
Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

#### 4. OTHER FEE(S)

Non-English Specification: \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): Patent Extension of Time (2 months) Fees Paid (\$)

225.00

#### SUBMITTED BY

Signature: [Signature] Registration No. 30,646 Telephone: 972-680-6050  
Name (Print/Type): Gregory M. Howison Date: 7/14/05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUL 14 2005

PHLY-24,767

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan Philyaw and David Kent Mathews

Serial No.: 09/417,863

Filed: October 13, 1999

Group: 2142

Examiner: Douglas B. Blair

For: SOFTWARE DOWNLOADING USING A TELEVISION BROADCAST CHANNEL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

7/14/05  
(Date of Deposit)Gregory M. Howison  
(Name of Person Mailing Document)

(Signature)

7/14/05  
(Date of Signature)AMENDMENT

In response to the Office Action dated February 17, 2005, please amend the above-referenced patent application as follows:

A current list of the pending Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

AMENDMENT AND RESPONSE  
S/N 09/417,863  
Atty. Dkt. No. PHLY-24,767